

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NICOLE BECKER GRANDSTAFF,
Plaintiff,

V.

Civil Action No. 1:19-cv-384

**ANDREW SAUL,
Commissioner of Social Security.,
Defendant.**

ORDER

This matter is before the Court on plaintiff's request for judicial review of the final decision of the Commissioner of the Social Security Administration (the "Commissioner") pursuant to 42 U.S.C. § 405(g). The Commissioner's final decision denied Plaintiff Nicole Becker Grandstaff's claim for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. § 423. The Commissioner's final decision was based on a finding by the Administrative Law Judge ("ALJ") and the Appeals Council for the Office of Disability Adjudication and Review ("Appeals Council").

This matter was referred to the magistrate judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for a Report and Recommendation (“R&R”) on the parties’ cross-motions for summary judgment. On June 19, 2020, United States Magistrate Judge Michael S. Nachmanoff entered an R&R recommending affirmance of the Commissioner’s final decision, thus denying plaintiff’s motion for summary judgment and granting the Commissioner’s motion for summary judgment. More specifically, the R&R recommends three findings: (i) that the ALJ’s residual functional capacity (“RFC”)¹ determination is supported by substantial evidence, (ii) that the ALJ properly evaluated

¹ Residual functional capacity is “the most [plaintiff] can still do despite [his] limitations.” 20 C.F.R. §§ 404.1545(a)(1), 416.945(a).

plaintiff's subjective complaints of pain, and (iii) that the Commissioner's final decision denying plaintiff disability insurance benefits is supported by substantial evidence and should be affirmed.

Upon consideration of the record and the Magistrate Judge's R&R, to which no objections have been filed, and having found no clear error,²

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the R&R (Dkt. 21).

Accordingly,

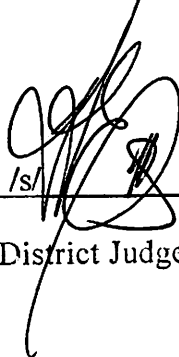
It is hereby **ORDERED** that plaintiff's motion for summary judgment (Dkt. 14) is **DENIED** and that defendant's motion for summary judgment (Dkt. 17) is **GRANTED**.

It is further **ORDERED** that the Commissioner's final decision denying plaintiff disability insurance benefits is **AFFIRMED**.

The Clerk of the Court is directed to enter Rule 58 judgment in favor of the defendant.

The Clerk of the Court is further directed to provide a copy of this Order to all counsel of record and to place this matter among the ended causes.

Alexandria, Virginia
July 10, 2020


/s/

T. S. Ellis, III
United States District Judge

² See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate's report, the court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'").